



Attorney's Docket No.: 10200-010001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : David J. Luneau et al.  
Serial No. : 10/038,866  
Filed : January 4, 2002  
Title : TELEPHONE NETWORK MESSAGING

Art Unit : 2645  
Examiner : Gerald Gauthier

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REPLY TO ACTION OF OCTOBER 20, 2005

Claims 1-19 stand rejected as obvious over Albal, U.S. Patent Application No. 2003/0147518 A1 in view of Frech (U.S. Patent No. 6,233,325). Dependent claims 20-22 stand rejected as obvious over Albal, Frech, and Tate, U.S. Patent No. 6,509,833.

In the Reply filed November 19, 2003, to the First Office Action dated June 19, 2003, Applicants explained why the rejection there was improper, because the prior art cited against the claims (Wolf and a number of secondary references) do not disclose the claim 1 feature of “setting up a *non-associated* telephone call.” In that Reply, Applicants noted that a “non-associated” telephone call is expressly defined in the specification as “a simulated telephone call from a simulated calling party.” “[N]o actual call is provisioned.”

In the Second Office Action dated December 9, 2004, claims 1-20 were rejected as anticipated by Albal. In the response thereto (filed May 18, 2005), Applicants reiterated the above points, and observed that Albal also does not disclose setting up a non-associated telephone call, but instead is about provisioning actual telephone calls actual real calling parties, not simulated telephone calls from simulated calling parties.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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